IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (LODGING) NO.947 OF 2005

Union Bank of India Petitioners

versus

Gujarat Kamdar Panchayat
and others Respondents

Mr.Chirag Balsara i/by N.N.Amin for petitioners

Mr.Vyapak Desai for respondent no.1.

Mr.Rayathatha i/by RMG Law for respondent no.2

CORAM : H.L.GOKHALE AND
S.C.DHARMADHIKARI, JJ.

DATE : 05th April 2005

PC :

1. Heard Mr.Balsara in support of this petition. Mr.Desai appears for respondent no.1 and Mr.Rayathatha for respondent no.2.

2. The only grievance in the present petition is that by passing the impugned order, the Debts Recovery Appellate Tribunal (DRAT) is requiring the petitioner bank to bring into Court the amount which is not necessary to bring. As far as amount meant for the disbursement to the

workers namely Rs.74,39,193/- is concerned, that amount is already in the Debts Recovery Tribunal (DRT).. As far as this further amount of Rs.3,76,60,807/- is concerned, prima facie, there is no reason why the petitioner bank should be required to bring that amount in the Court. Mr.Balsara makes a statement that at a later point of time the bank will bring that amount in the Court, if required. We modify the order passed by DRAT to this extent and dispose off the petition.

(H.L.GOKHALE, J.)

(S.C.DHARMADHIKARI, J.)